

Docket No.: 13111-00035-US  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Rainer Stürmer et al.

Conf. No.: 4511

Application No.: 10/573,130

Group Art Unit: 1614

Filed: March 23, 2006

Examiner: Not Yet Assigned

For: METHODS FOR THE PRODUCTION OF 3-  
METHYLAMINO-1-(THIENE-2-YL)-  
PROPANE-1-OL

REQUEST FOR CORRECTED FILING RECEIPT

AND NOTICE OF ACCEPTANCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that a corrected Filing Receipt and a corrected Notice of Acceptance be issued in the above-identified patent application. The official Filing Receipt received by Applicants, a marked-up copy of which is attached hereto, has three errors. They are as follows:

- 1). Second Applicant is missing and should be shown as "Maria Kesseler,  
Mannheim, GERMANY";
- 2). The Third Applicant city is misspelled and should read, "Fussgonheim" in lieu of  
"Fubgonheim; and
- 3). The Foreign Applications should read, "GERMANY 10345772.0 01/10/2003 in  
lieu of "EUROPEAN PATENT OFFICE (EPO) 10345772.0 10/10/2003," both  
the country and date require correction.

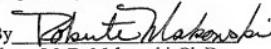
Additionally, the Priority Date listed on the Notice of Acceptance is also incorrect; it  
should read "01/10/2003" in lieu of "10/10/2003," a marked-up copy is attached.

The correct information can be found on the original Declaration, Power of Attorney and Petition which was electronically filed on May 17, 2006, a copy of which is attached hereto.

Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect these corrections.

Applicants believe no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13111-00035-US from which the undersigned is authorized to draw.

Respectfully submitted,

By 

Roberte M. D. Makowski, Ph.D.

Registration No.: 55,421

CONNOLLY BOVE LODGE & HUTZ LLP

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Attorney for Applicants

614891\_1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE RECD	ATTY/DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/573,130	05/17/2006	1614	1330	13111-00035-US	8	26	3

CONFIRMATION NO. 4511

23416  
 CONNOLLY BOVE LODGE & HUTZ, LLP  
 P O BOX 2207  
 WILMINGTON, DE 19899

## FILING RECEIPT



\*OC000000021771178\*

Date Mailed: 12/29/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Rainer Sturmer, Rodersheim- Gronau, GERMANY;  
 Bernhard Hauer, ~~Eubgonheim~~ GERMANY; *should be spelled: Fussgonheim*  
 Thomas Friedrich, Darmstadt, GERMANY;  
 Michael Breuer, Limburgerhof, GERMANY;  
*Missing Second Applicant: Maria Kesseler, Mannheim, GERMANY*  
 Power of Attorney: The patent practitioners associated with Customer Number 23416.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/10939 09/30/2004

## Foreign Applications

*should be:*

EUROPEAN PATENT OFFICE (EPO) 10345772.0 10/10/2003

Germany 10345772.0 01/oct./2003

If Required, Foreign Filing License Granted: 06/21/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/573,130

Projected Publication Date: 04/05/2007

Non-Publication Request: No

Early Publication Request: No

**Title**

Methods for the production of 3-methylamino-1-(thiene-2-yl)-propane-1-ol

**Preliminary Class**

514

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: 901 MAILED: 1459  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAME/APPlicant	ATTY. DOCKET NO.
10/573,130	Rainer Stummer	13111-00035-US
INTERNATIONAL APPLICATION NO.		
PCT/EP04/10939		
23416 CONNOLLY BOVE LODGE & HUTZ, LLP P O BOX 2207 WILMINGTON, DE 19899	I.A. FILING DATE 09/30/2004	PRIORITY DATE <i>(10/10/2003)</i> Should Read <i>01/10/2003</i> CONFIRMATION NO. 4511
371 ACCEPTANCE LETTER		
 *OC00000021771179*		

Date Mailed: 12/29/2006

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>05/17/2006</u>	<u>11/03/2006</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 03/23/2006
- English Translation of the IA filed on 03/23/2006
- Copy of the International Search Report filed on 03/23/2006
- Preliminary Amendments filed on 03/23/2006
- Information Disclosure Statements filed on 03/23/2006
- Biochemical Sequence Diskette filed on 12/01/2006
- Oath or Declaration filed on 05/17/2006
- Biochemical Sequence Listing filed on 08/24/2006
- Request for Immediate Examination filed on 03/23/2006
- U.S. Basic National Fees filed on 03/23/2006
- Priority Documents filed on 03/23/2006

- Power of Attorney filed on 05/17/2006
  - Specification filed on 03/23/2006
  - Claims filed on 03/23/2006
  - Abstracts filed on 03/23/2006
  - Drawings filed on 03/23/2006
- 

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

LAMONT M HUNTER  
Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

**Acknowledgement Receipt**

The USPTO has received your submission at **16:18:26** Eastern Time on **17-MAY-2006**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

**Filed Application Information**

EFS ID	1050107
Application Number	10573130
Confirmation Number	4511
Title	Methods for the production of 3-methylamin 1 (thien-2-yl)-propane-1-ol
First Named Inventor	Rainer Sturmer
Customer Number or Correspondence Address	23416
Filed By	Roberte Marie Densle Makowski/Tina Hall
Attorney Docket Number	13111-00035-US
Filing Date	
Receipt Date	17-MAY-2006
Application Type	U.S. National Stage under 35 USC 371

**Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
1311100035IPER.pdf	16	Documents submitted with 371 Applications	691850 bytes	◆ PASS
1311100035Declaration.pdf	4	Oath or Declaration filed	126853 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53 (b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an International application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

*If you need help:*

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent e-Filing.
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	Conf. No.: 4511
Stürmer et al.	
Application No.: 10/573130	Group Art Unit: Not yet assigned
Filed: March 23, 2006	Examiner: Not Yet Assigned
For: METHODS FOR THE PRODUCTION OF 3- METHYLAMINO-1-(THIENE-2-YL)- PROPANE-1-OL	

TRANSMITTAL FOR DECLARATION, POWER OF ATTORNEY AND PETITION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants transmit herewith the executed Declaration for Patent Application and Power of Attorney in the above-captioned application. Applicants have not received a Notification Of Missing Requirements.

Please charge our Deposit Account No. 03-2775 in the amount of \$130.00 covering the required fees. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 13111-00035-US.

Respectfully submitted,

By   
Roberte M. D. Makowski, Ph.D.

Registration No.: 55,421  
CONNOLLY BOVE LODGE & HUTZ LLP  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, Delaware 19899  
(302) 658-9141  
(302) 658-5614 (Fax)  
Attorney for Applicants

## *Declaration, Power of Attorney and Petition*

We (I), the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### METHODS FOR THE PRODUCTION OF 3-METHYLAMINO-1-(THIENE-2-YL)-PROPANE-1-OL

the specification of which

[ ] is attached hereto.

[ ] was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and amended on \_\_\_\_\_

[x] was filed as PCT international application

Number PCT/EP2004/010939

on 30 September 2004

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable)

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a) - (d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International Application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
10345772.0	Germany	01 October 2003	[x] Yes [ ] No

We (I) hereby claim the benefit under Title 35, United States Codes, § 119(e) of any United States provisional application(s) listed below.

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(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.

**Filing Date**

Status (pending, patented,  
abandoned)

I hereby appoint the registered practitioner(s) associated with Customer No. 23416 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence to Customer Number 23416.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Rainer Stürmer  
NAME OF SOLE OR FIRST INVENTOR



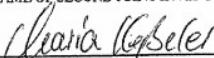
Signature of Inventor

Residence:  
Hauptstr. 153  
67127 Rödersheim-Gronau  
Germany  
Citizen of Germany  
Post Office Address: same as residence

Date October 4, 2004

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Maria Kefeler  
NAME OF SECOND JOINT INVENTOR



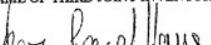
Signature of Inventor

Residence:  
Max-Joseph-Str. 6  
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Citizen of Germany  
Post Office Address: same as residence

Date October 4, 2004

---

Bernhard Hauer  
NAME OF THIRD JOINT INVENTOR



Signature of Inventor

Residence:  
Merowingerstr.1  
67136 Fußgönheim  
Germany  
Citizen of Germany  
Post Office Address: same as residence

Date October 4, 2004

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Thomas Friedrich  
NAME OF FOURTH JOINT INVENTOR



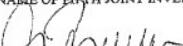
Signature of Inventor

Residence:  
Saalbaustr.22-24  
64283 Darmstadt  
Germany  
Citizen of Germany  
Post Office Address: same as residence

Date October 4, 2004

---

Michael Breuer  
NAME OF FIFTH JOINT INVENTOR



Signature of Inventor

Residence:  
Chenoverstr.8  
67117 Limburgerhof  
Germany  
Citizen of Germany  
Post Office Address: same as residence

Date October 4, 2004

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